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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

ANDREW J. DAYTON,)
)
Petitioner,)
)
vs.) Case No. 3:03-cv-0145-JKS-JDR
)
BRUNO STOLC,) <u>STATUS REPORT</u>
Warden Central Arizona Detention)
Center,)
)
Respondent.)
)

Respondent files this status report to comply with this court's order that the parties file a status report on or before September 25, 2006. [Dkt. 71]

The undersigned attorney has reviewed the file relating to Dayton's appeal at the Alaska Court of Appeals, *Dayton v. State*, No. A-9422. According to the documents in this file, new appellate counsel, Daniel Lowery of the Alaska

Public Defender Agency, was appointed to represent Dayton. The Alaska Court of Appeals has directed attorney Lowery to file an amended statement of points on appeal and any designation of transcript on or before September 25, 2006. After these documents are filed and any designated transcript is prepared, a briefing schedule will follow. In short, this appellate matter is not yet at the briefing stage.

DATED September 22, 2006 , at Anchorage, Alaska.

DAVID W. MÁRQUEZ
ATTORNEY GENERAL

s/ Nancy R. Simel

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Certificate of Service

I certify that on September 22, 2006, a copy of the foregoing Status Report was served electronically on Mary C. Geddes.

s/ Nancy R. Simel